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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/400,320	09/21/1999	JOHN C. MEARS	37770	3309

23820 7590 03/22/2005

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EXAMINER

TIEU, BENNY QUOC

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/400,320

Applicant(s)

MEARS ET AL.

Examiner

Benny Q. Tieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-12, 14-20 and 22-24 is/are rejected.
- 7) ☒ Claim(s) 5, 13 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on Feb. 28, 2003 has been entered. Claim 5 has been amended. No claims have been canceled. No claims have been added. Claims 1-24 are still pending in this application, with claims 1, 9 and 17 being independent

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6-12, 14-20 and 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Shtivelman et al. (U.S. Patent No. 6,263,066).

Regarding claims 1, 9 and 17, Shtivelman et al. teach a system, method and computer readable medium of instructions for receiving and distributing contacts of different media types to a plurality of workstations, comprising:

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a queuing component, adapted to receive said different media-type contacts and maintain said contacts in a common queue while said contacts are awaiting routing to said workstations (column 3, line 57 through column 4, line 4); and

a routing component, adapted to route the queued contacts to said workstations based on designated criteria (column 3, lines 42-56).

Regarding claims 2, 10 and 18, Shtivelman et al. further teach the system, method and computer readable medium of instructions wherein said designated criteria includes one of criteria of said queued contacts and criteria assigned to agents operating said workstations (column 4, lines 20-30).

Regarding claims 3, 11 and 19, Shtivelman et al. further teach the system, method and computer readable medium of instructions wherein said designated criteria includes said criteria of said queued contacts and said criteria assigned to said agents (column 8, lines 1-12).

Regarding claims 4, 12 and 20, Shtivelman et al. further teach the system, method and computer readable medium of instructions comprising:

a media changing component, adapted to change a media-type of any of said media-type contacts to generate a changed media-type contact (column 10, lines 57-67).

Regarding claims 6, 14 and 22, Shtivelman et al. further teach the system, method and computer readable medium of instructions comprising a contact handling component, adapted to initiate an event at any of said workstations in response to said contact being routed thereto (column 10, lines 22-37).

Regarding claims 7, 15 and 23, Shtivelman et al. inherently teach the system, method and computer readable medium of instructions wherein said event includes at least one of ringing a

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telephone assigned to said any workstation and causing said any workstation to generate a display on its display screen (column 6, lines 30-42).

Regarding claims 8, 16 and 24, see column 3, lines 42-56.

Allowable Subject Matter

4. Claims 5, 13 and 21 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

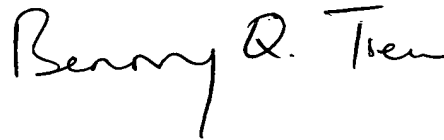
Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Q. Tieu whose telephone number is (703) 305-2360. The examiner can normally be reached on Monday-Friday: 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Benny D. Tieu". The signature is written in a cursive, flowing style.

BENNY TIEU
PRIMARY EXAMINER

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March 21, 2005